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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,347	09/09/2003	Abbas Arab	OWA149	9028
34356	7590	02/09/2005	EXAMINER	
ASHKAN NAJAFI, P.A. 6817 SOUTHPOINT PARKWAY SUITE 2301 JACKSONVILLE, FL 32216			LAI, ANNE VIET NGA	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/657,347	ARAB, ABBAS	
	Examiner	Art Unit	
	Anne V. Lai	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413) .<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)               |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5, 8-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ellis** [US. 6,356,210] in view of **Smithline** [US. 5,734,336].

Regarding claims 1-2 and 8, **Ellis** discloses a portable safety mechanism system for notifying a driver of a vehicle of imminent environmental conditions (figs. 1-2), the system comprising:

a control panel (figs. 3a and 3b) positioned inside a vehicle 28 and including transceiving means (B.2, col. 8) for identifying imminent environmental conditions, display means (68, 74; col. 8, lines 54-56; col. 10, lines 19-45) connected to the control panel for providing visual information regarding an imminent environmental condition;

a plurality of transceivers (20, 22, 30, 32, 34, 36, 38; fig. 1-2; col. 5, line 7 through col. 6, line 12) disposed at predetermined locations exterior of the vehicle, the transceivers selectively sending a plurality of input signals representing identified imminent environmental conditions to the transceiving means;

a speaker 72 (fig. 3A; B.5, col. 10, lines 46-52) connected to the control panel for providing audible identification of an imminent environmental condition;

Ellis discloses the system can have many applications (in vehicle, wheelchair or walker), when use by a walker the system can fit in a walking stick or a belt carried housing (figs. 11-12; col. 17, line 53 through col. 20, line 40). Therefore, although Ellis does not mention the control panel is removable in the vehicle, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement a removable control panel in the vehicle as designer choice and user convenient of use.

Ellis omits specifying how the control panel is being mounted, Smithline teaches a safety system for notifying a driver of a vehicle of imminent environmental conditions (collision) comprising a control panel 60 attached to the vehicle by a mounting bracket 152 (fig. 5; col. 5, lines 33-52). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to attach the control panel of Ellis to the vehicle using mounting bracket as taught by Smithline as designer choice and user convenient of use.

Regarding claims 3 and 9, **Ellis** discloses the transceiving means comprises a sensor connected to the display panel (col. 11, lines 6-8; fig. 3B).

Regarding claims 5 and 11, **Ellis** discloses the control panel further comprises means for calculating a vehicle speed and distance from one of said plurality of transceivers so that a vehicle can be notified whether or not to proceed beyond said one plurality of transceivers (processor 40, fig. 3; stay clear of the right-of-way vehicle, impaired person; col. 6, lines 35-47; col. 9, line 15 through col. 10, line 18).

3. Claims 4, 6-7, 10, 12-13 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ellis** and **Smithline** in view of **Horvat** [US. 4,591,823].

Regarding claims 4, 7, 10, 13, 14-16 and 18, **Ellis** discloses the portable safety system employ computer telephony technology (abstract) and input means (C, fig. 3A-3B) connected to the control panel for receiving the vehicle identification from the electronic tag 82. It would have been obvious the identification of the driver can be detected based on his telephone number or his vehicle ID number. **Horvat** provides a system for notifying a driver of a vehicle of imminent environmental conditions (speed restriction area) comprising a control panel 6 (fig. 1a-2) including a keyboard input means 40 and an identification card reader 36 for receiving driver-identification information so that the identity of the driver can be recognized by the system and transmitted to a remote location. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the identification input means of Horvat to Ellis system to provide additional identity check that the driver is another person than the owner of the vehicle.

Regarding claims 6, 12 and 17, **Ellis** omits disclose the type of the display panel used, **Smithline** display panel is an alpha-numeric seven segment display (fig. 5; col. 5, lines 40-42), **Horvat** specifies using an alpha-numeric seven segment LCD display (fig. 5). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the LCD display as the one in Horvat system to Ellis and Smithline system for its image quality, its size and weight.

**Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Graham et al** discloses an alerting device and system for abnormal situations.  
[US. 5,572,201]

**Smith** discloses a radio warning system for hazard avoidance. [US. 6,160,493]

**Cardillo et al** discloses a vehicle hazard warning system. [US. 6,690,291]

**Ghazarian** discloses an intersection vehicle collision avoidance system. [US.  
2003/0016143]

**Mays** discloses an automated vehicle information system. [US. 2004/0233045]

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne V. Lai whose telephone number is 571-272-2974. The examiner can normally be reached on 8:00 am to 5:30 pm, Monday to Thursday.

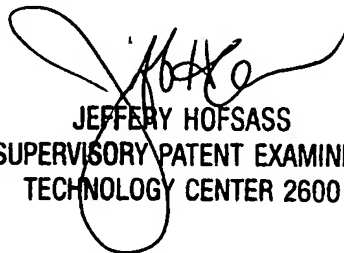
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass Jeffery can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A. V. Lai



January 27, 2005



JEFFERY HOFSSASS  
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